

# United States Department of the Interior

BUREAU OF RECLAMATION  
Lower Colorado Regional Office  
P.O. Box 61470  
Boulder City, NV 89006-1470

September 13, 2013

LC-3501  
RIM-6.11  
(LC-2013-23/ BOR-2013-00245)

VIA ELECTRONIC MAIL ONLY

Mr. Jason Smathers  
MuckRock News – Dept MR 6671  
P.O. Box 55819  
Boston, MA 02205-5819  
[requests@muckrock.com](mailto:requests@muckrock.com)

Subject: Acknowledgement of Freedom of Information Act (FOIA) Request – BOR-2013-00245

Dear Mr. Smathers:

This is to acknowledge receipt of your September 9, 2013, FOIA request, received in our office on September 9, 2013, for all current interagency Memoranda of Understanding or Memoranda of Agreement between the Bureau of Reclamation and any other agency or department.

This letter also serves to inform you that your request is overly broad in scope, additional information is needed to process your fee waiver request, and a fee agreement is required to begin processing your request. Please see the following explanation of requirements below:

In accordance with the Department's FOIA regulations (43 CFR 2.8(a)), a FOIA requester must describe the records in sufficient detail to enable an employee familiar with the subject area of the request to locate the responsive records with a reasonable amount of effort. Your request does not meet this requirement. Because of the broad nature of your request, we are unable to identify which records are being sought.

Please be as specific as possible concerning the type of documents you are requesting. If you know, please include specific projects or project types, geographical areas supported, specific department or agency, funded or unfunded, services provided or received, specific subject matter, or date range of the records you are seeking. Also if possible, please provide a telephone number you can be reached at in order to more easily communicate about the request.

We will not proceed further with your request until we receive additional clarification from you. In accordance with our regulations (43 CFR 2.8(a)(3)), if we do not hear from you within 20 workdays of the date of this letter, we will assume you are no longer interested in this matter and will close the file on your request.

In your letter, you also requested a fee waiver. As a member of the media, your requester category only requires payment of duplication fees. However, you did not provide sufficient justification to qualify for a fee waiver under the Department's FOIA regulations (43 CFR Part 2, [Appendix D](#)). The statutory requirement for granting a fee waiver is that release of the information must be in the public interest

because it is likely to contribute significantly to public understanding of the operations and activities of the Government.

To assist us in making a decision on your request for a fee waiver, we ask that you address the following as applicable. You must be specific in addressing the Department's fee waiver criteria for each request you submit, regardless of whether you may have been granted a fee waiver previously.

(1) Explain how the records you are seeking will be meaningfully informative with respect to the bureau's operations and activities. Your identity, vocation, qualifications, and expertise regarding the requested information may be relevant factors.

(2) Explain how disclosure of the records will contribute to the understanding of the public at large or a reasonably broad audience as opposed to only enhancing your knowledge.

(3) Explain how and to whom you intend to disseminate the information and how you intend to use the information to contribute to public understanding.

(4) Explain how release of the requested records will contribute significantly to public understanding. For example, is the information being disclosed new, does the information confirm or clarify data released previously, and is the information publicly available? Explain how disclosure will increase the level of public understanding that existed prior to disclosure.

(5) Explain whether you have a commercial interest that would be furthered by disclosure and if so, whether the public interest in disclosure would be greater than any commercial interest you or your organization would have in the documents.

If you are still interested in obtaining the documents, please provide additional information to justify your fee waiver request or provide written assurance of your willingness to pay fees or specify the maximum amount that you are willing to pay for the bureau to process your request. This will allow us to begin processing your request for records while considering your fee waiver request. If the bureau grants your fee waiver request, we will not charge fees to the extent that it grants the waiver. If you have agreed to pay fees up to a particular amount, we will contact you when we have processed your request up to that amount before proceeding further. If we do not hear from you by September 23, 2013, we will deny your fee waiver request since it does not meet DOI's fee waiver criteria. We will then close the file on your FOIA request.

If you have questions, please write to me at the above address, call me at (702) 293-8403, or e-mail me at [lgallegos@usbr.gov](mailto:lgallegos@usbr.gov).

Sincerely,

/s/  
Lisa Gallegos  
FOIA Coordinator